

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
ELEUTERIO ALONSO, ISRAEL FUENTES, :  
PRISCO NAJERA, WILFREDO RAMIREZ, and :  
AURELIANO TAPIA, :  
:

Plaintiffs, :

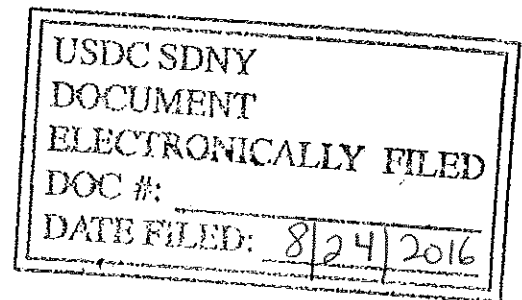
-v- :

144 NINTH GOTHAM PIZZA, INC., (d/b/a :  
GOTHAM PIZZA), 852 EIGHTH GOTHAM PIZZA :  
INC., (d/b/a GOTHAM PIZZA), 1443 YORK :  
GOTHAM PIZZA INC., (d/b/a GOTHAM :  
PIZZA), 1667 FIRST GOTHAM PIZZA, INC., :  
(d/b/a GOTHAM PIZZA), and MICHAEL :  
SHAMAILOV, :

Defendants. :  
:  
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12cv3133 (DLC)  
14cv4563 (DLC)  
15cv4069 (DLC)  
15cv10062 (DLC)

JUDGMENT



A jury trial having been held from July 5, 2016 to July 8, 2016 with respect to plaintiffs Eleuterio Alonso, Israel Fuentes, Prisco Najera, Wilfredo Ramirez, and Aureliano Tapia, and the jury on July 8 having returned a special verdict in favor of the plaintiffs; the parties having submitted damages calculations to the Court; and the Court having decided by Order of August 10, 2016, that the plaintiffs are entitled to cumulative liquidated damages under both the Fair Labor Standards Act and the New York Labor Law ("NYLL"), it is hereby

**ORDERED, ADJUDGED AND DECREED, as follows:**

That the plaintiff Eleuterio Alonso have judgment against Michael Shamailov in the amount of \$119,867.54, plus \$2.89 each day from August 17, 2016 until entry of judgment; against 1667 First Gotham Pizza Inc. in the amount of \$81,124.80, plus \$2.51 each day from August 17, 2016 until the entry of judgment; and against 1443 York Gotham Pizza Inc. in the amount of \$38,742.74, plus \$0.38 each day from August 17, 2016 until the entry of judgment, jointly and severally, all computed as provided in 28 U.S.C. § 1961(a).

That the plaintiff Israel Fuentes have judgment against Michael Shamailov in the amount of \$135,523.22, plus \$3.55 per day each day from August 17, 2016 until entry of judgment; against 144 Ninth Gotham Pizza Inc. in the amount of \$2,180.88, plus \$0.27 each day from August 17, 2016 until entry of judgment; against 1443 York Gotham Pizza Inc. in the amount of \$93,186.39, plus \$2.46 each day from August 17, 2016 until entry of judgment; and against 1667 York Gotham Pizza Inc. in the amount of \$41,551.56, plus \$0.82 each day from August 17, 2016 until the entry of judgment, jointly and severally, all computed as provided in 28 U.S.C. § 1961(a).

That the plaintiff Prisco Najera have judgment against Michael Shamailov in the amount of \$106,587.06, plus \$2.91 per day each day from August 17, 2016 until entry of judgment;

against 1667 First Gotham Pizza Inc. in the amount of \$89,449.67, plus \$2.45 per day each from August 17, 2016 until entry of judgment; and against 1443 York Gotham Pizza Inc. in the amount of \$94,180.62, plus \$2.73 per day each day from August 17, 2016 until entry of judgment, jointly and severally, all computed as provided in 28 U.S.C. § 1961(a).

That the plaintiff Wilfredo Ramirez have judgment against Michael Shamailov in the amount of \$75,084.82, plus \$0.90 per day each day from August 17, 2016 until entry of judgment; against 144 Ninth Gotham Pizza Inc. in the amount of \$74,317.44, plus \$0.89 per day each day from August 17, 2016 until entry of judgment; and against 1667 First Gotham Pizza Inc. in the amount of \$767.38, plus \$0.01 per day each day from August 17, 2016 until entry of judgment, jointly and severally, all computed as provided in 28 U.S.C. § 1961(a).

That the plaintiff Aureliano Tapia have judgment against Michael Shamailov in the amount of \$92,787.20, plus \$2.64 per day each day from August 17, 2016 until entry of judgment; against 1443 York Gotham Pizza Inc. in the amount of \$81,892.59, plus \$2.21 per day each day from August 17, 2016 until entry of judgment; and against 852 Eighth Gotham Pizza, Inc. in the amount of \$10,894.72, plus \$0.43 per day each day from August 17, 2016 until entry of judgment, jointly and severally, all computed as provided in 28 U.S.C. § 1961(a).

That if any amounts remain unpaid upon the expiration of ninety days following issuance of judgment, or ninety days after expiration of the time to appeal and no appeal is then pending, whichever is later, the total amount of judgment attributable to damages awarded under the NYLL shall automatically increase by fifteen percent, as required by NYLL § 198(4). The amounts attributable to damages awarded under the NYLL that shall be so increased are the following, for each plaintiff against each defendant:

For Eleuterio Alonso

Against Michael Shamailov: \$84,237.54

Against 1667 First Gotham Pizza Inc.: \$56,919.80

Against 1443 York Pizza Inc.: \$27,317.74

For Israel Fuentes

Against Michael Shamailov: \$98,032.72

Against 144 Ninth Gotham Pizza Inc.: \$2,180.88

Against 1443 York Pizza Inc.: \$66,663.89

Against 1667 First Gotham Pizza Inc.: \$30,583.56

For Prisco Najera

Against Michael Shamailov: \$73,679.06

Against 1667 Firth Gotham Pizza Inc.: \$62,429.17

Against 1443 York Gotham Pizza Inc.: \$52,590.12

For Wilfredo Ramirez

Against Michael Shamailov: \$58,821.94

Against 144 Ninth Gotham Pizza Inc.: \$58,212.06

Against 1667 First Gotham Pizza Inc.: \$609.88

For Aureliano Tapia

Against Michael Shamailov: \$73,112.70

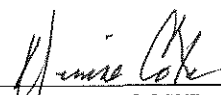
Against 1443 York Gotham Pizza Inc.: \$64,298.09

Against 852 Eighth Gotham Pizza Inc.: \$8,814.72

There being no just reason for delay, this judgment is entered pursuant to Federal Rule of Civil Procedure 54(b).

SO ORDERED:

Dated: New York, New York  
August 24, 2016

  
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DENISE COTE  
United States District Judge